

Bulletin New

12-31-42
1305-IV

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Business News

Refrigeration

ADVERTISERS: Write today for full information

Programs - List of Participating Companies - Forecasters

A REVIEW OF THE ALL-INDUSTRY MEETING

"COME TO CHICAGO" NUMBER

APRIL 27 1942

Refrigeration
Business News

Watch for this Big Issue - It'll be HOT!

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'It's Important
to Know
In Time'

Air Conditioning & REFRIGERATION



NEWS

DEBULLETTIN
EDITION
April 6, 1942

Member Associated Business Papers,
Inc.; Audit Bureau of Circulations.

The Newspaper of the Industry
Issued Every Monday at Detroit, Mich.

Vol. 35, No. 14, Serial No. 681
Established 1926.

Westinghouse Posts Given To Ashbaugh, Clark, Mills, Newcomb

MANSFIELD, Ohio—Four major changes in the executive personnel of Westinghouse Electric & Mfg. Co., all affecting either the merchandising division here or the refrigeration and air conditioning division at East Springfield, Mass., have recently been announced by the company.

B. W. Clark, vice president in charge of the merchandising division, was appointed vice president in charge of sales of the company. He succeeds Ralph Kelly, who resigned to become executive vice president of the Baldwin Locomotive Works.

John H. Ashbaugh, manager of manufacturing and engineering of the merchandising division, was appointed manager of that division with headquarters in Mansfield, Ohio.

Appointment of Reese Mills as assistant manager of the Westinghouse merchandising division and T. J. Newcomb as sales manager for merchandise products was then announced by Mr. Ashbaugh following the resignation of Frank R. Kohnstamm, sales manager of the division since April, 1939.

Mr. Mills will direct sales administration and product service activities of the division.

Mr. Newcomb will have charge of merchandising sales and advertising, and will direct the division's field organization.

George H. Bucher, president of Westinghouse, announced that Mr. Clark, in addition to supervising the sale of apparatus, will be responsible
(Concluded on Page 4, Column 3)

Plans Made To Buy Frozen Copper Stock

NEW YORK CITY—Plans have been drafted by representatives of the copper industry acting in conjunction with the WPB and Metals Reserve Corp. for the purchase of copper supplies in the hands of fabricators or users which cannot be utilized because they have been frozen by copper conservation order M-9-c.

It is predicted that the new order may follow the plan used on aluminum and white metal, whereby an offer is made to buy the material at stated prices and to provide an inventory form to report on the quantity
(Concluded on Page 4, Column 2)

Dealer Is Relieved From Long Lease By Judge's Ruling

NEW YORK CITY—Refrigerator and appliance dealers are among those affected by a precedent-making decision delivered March 21 by Justice Harold J. Crawford in Municipal Court in Elmhurst, Queens, to the effect that automobile dealers and others whose products have been frozen by government priorities cannot be held to the terms of any lease for space they might have after the date when their businesses were stopped by government order.

If other courts follow the same legal procedure, it would mean that dealers in products affected by recent government emergency freezing orders may be enabled to cancel costly long-term leases which were signed when those businesses were not vital to the war effort.

Justice Crawford's direct decision was that Hannan Sales & Service, Inc., operating an automobile sales agency at 43-12 Queens Boulevard, Long Island City, was not required to pay rent for space to the Colonial Operating Corp. of Manhattan for last December, January, and February or any subsequent months in the lease between them which was to have run to Jan. 31, 1943.

The operating company instituted the action to recover rents claimed to be due under the lease.

The automobile sales company offered as a defense that "on or about Jan. 1, 1942, the Office of Production Management, by virtue of authority granted by the Congress of the United States, ordered the prohibition of the sale of passenger automobiles (referring to 1942 model passenger automobiles and/or any automobile which had been used less than 1,000 miles) until Jan. 15, 1942,
(Concluded on Page 4, Column 3)

Price Fixing Details

Text of the OPA order setting maximums for the sale of all models of household electric refrigerators is published on pages 2 and 3 of this bulletin issue of the NEWS. Essential parts of the texts of the price orders for ranges, laundry equipment, and radios will be published in the next full size issue of the NEWS.

WPB Requests More Detail In PD-1A's For New Units

WASHINGTON, D. C.—Persons seeking to obtain preference ratings in order to purchase air conditioning or commercial refrigeration equipment are urged by the Air Conditioning and Commercial Refrigeration Branch of WPB to submit in detail all the information called for on application form PD-1A, according to an official release issued by the Division of Industry Operations, WPB.

"The Priorities Section of the branch has been experiencing much difficulty and long delay in attempting to appraise applications because of the sketchy information submitted. Many applications have had to be returned because some of the questions contained in the information sheet accompanying the PD-1A forms have not been fully answered," the release stated.

"Branch officials said that information received in response to Question 2, 3, and 7 has been particularly sketchy, and the result has been to handicap the priorities analysts in their efforts to act quickly on all applications.

"Question No. 2, relating to the function of the equipment desired to be purchased and the type of establishment in which it would be installed, is extremely important, officials said. Applicants must furnish information under this question on whether the equipment would replace, repair, or expand existing facilities, and must state definitely whether or not a complete new installation is contemplated.

"Question No. 3 requires a complete
(Concluded on Page 4, Column 2)

PRODUCTION OF MANY ELECTRICAL APPLIANCES TO END MAY 31

WASHINGTON, D. C.—The WPB has announced that a long list of electrical appliances must not be produced after May 31 except to fulfill orders or contracts bearing preference ratings higher than A-2.

The list includes heating units for electric ranges, water heaters, irons and radiant heaters and such appliances as electric toasters, waffle irons, flat irons, roasters, table stoves, food mixers, dishwashing equipment, dry shavers, and many other items.

It specifically excludes from the restrictions refrigerating and air conditioning equipment, laundry equipment, vacuum cleaners, fans and electric heating pads, record players, and oil furnaces.

This is the bulletin issue of the News. More details on the news stories plus special features in next week's full size issue.



There is a serious cylinder shortage. We cannot obtain new cylinders. Prevent delays in your deliveries - by returning each of your empties quickly! Send them back the same day - it will be appreciated.

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Text of OPA Order Which Sets Maximum Prices on All Models Of Household Refrigerators

TITLE 32—NATIONAL DEFENSE CHAPTER XI—OFFICE OF PRICE ADMINISTRATION Part 1380—Household and Service Industry Machines

Maximum Price Regulation No. 110—Resale of New Household Mechanical Refrigerators

In the judgment of the Price Administrator prices for resale of household mechanical refrigerators are threatening to rise to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942.

In the judgment of the Price Administrator the maximum prices established by this Regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of considerations involved in the issuance of this Regulation has been prepared and is issued simultaneously herewith.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1 issued by the Office of Price Administration, Maximum Price Regulation No. 110 is hereby issued.

Section 1380.101 Maximum Prices for Resale of Household Mechanical Refrigerators. On and After March 30, 1942, regardless of any contract, agreement, lease or other obligation, no distributor or dealer shall sell or deliver any new model of household mechanical refrigerator at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as Section 1380.110; and no distributor or dealer shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this Section shall not be applicable to sales or deliveries of household mechanical refrigerators to a purchaser if, prior to March 30, 1942, such household mechanical refrigerators had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.*

*Sections 1380.101 to 1380.110, inclusive, issued pursuant to Pub. No. 421, 77th Congress, 2d Sess.

Section 1380.102 Less than Maximum Prices. Lower prices than those set forth in Appendix A (Section 1380.110) may be charged, demanded, paid, or offered.*

Section 1380.103 Conditional Agreements. No seller of household mechanical refrigerators shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided herein, in the event that this Maximum Price Regulation No. 110 is amended or is determined by a court to be invalid or upon any other contingency: Provided, That if a petition for amendment has been duly filed, and such petition requires extensive consideration, and the Administrator determines that an exception would be in the public interest pending such consideration, the Administrator may grant an exception from the provisions of this Section, permitting the making of contracts adjustable upon the granting of the petition for amendment. Requests for such an exception may be included in the aforesaid petition.*

Section 1380.104 Evasion.

(a) The limitations set forth in this Maximum Price Regulation No. 110 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to household mechanical refrigerators alone, or in conjunction with any other commodity or by way of commission.

service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

(b) Specifically, but not exclusively, the following practices are prohibited:

(1) Decreasing cash discounts, trade-in or exchange allowances, quantity purchase discounts or allowances for or absorption of transportation costs, below those in effect on Feb. 2, 1942.

(2) Increasing charges for deferred payment, or for any other form of installment, or time payment or credit accounts, above those in effect on Feb. 2, 1942.

(3) Failing to give or shortening the warranty or failing to give delivery, installation and other services available or in effect to the same general class of purchaser in exchange for the prices prevailing on Feb. 2, 1942, corresponding to the maximum prices established by Appendix A (Section 1380.110).

Section 1380.105 Records and Reports.

(a) Every distributor or dealer making sales of household mechanical refrigerators after March 30, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of each such sale, showing the date thereof, the name and address of the buyer, the model number or other designation of each model sold, the price received for each, the quantity sold and any discounts, allowances, or charges.

(b) Such persons shall submit such reports to the Office of Price Administration as it may, from time to time require.*

Section 1380.106 Notices to be Posted. Every dealer shall post in a conspicuous place on the premises where refrigerators are offered for sale a legible notice setting forth the make, model number and maximum price under Maximum Price Regulation No. 110 of every model of refrigerator offered for sale on such premises.*

Section 1380.107 Enforcement.

(a) Persons violating any provision of this Maximum Price Regulation No. 110 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 110 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.*

Section 1380.108 Petitions for Amendment. Persons seeking any modification of this Maximum Price Regulation No. 110 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.*

Section 1380.109 Definitions.

(a) When used in this Maximum Price Regulation No. 110, the term:

(1) "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing;

(2) "manufacturer" means any person who operates a plant or factory which manufactures or assembles household mechanical refrigerators;

(3) "dealer" means any person other than a manufacturer, regularly engaged in the business of selling household mechanical refrigerators to consumers;

(4) "distributor" means any person other than a manufacturer, regularly engaged in selling household mechanical refrigerators to dealers;

(5) "consumer" means a person purchasing for use rather than resale;

(6) "household mechanical refrigerator" means any new refrigerator for household use which operates either by compression or absorption;

(7) "model" means any combination of size and specifications of equipment;

(8) "net price quoted" means the actual cash price to be received by the seller, exclusive of state and local sales taxes, but including charges for warranty and cooperative advertising, and inclusive or exclusive of transportation charges, or Federal excise tax, whichever the price list or other regular quotation specifies.

(9) "private-brand" means a refrigerator not offered for sale as the manufacturer's regular brand, but manufactured for particular person or persons, whether or not such person's name or brand name appears thereon;

Section 1380.110 Appendix A. Maximum Prices for the Resale of Household Mechanical Refrigerators.

(a) Maximum prices for sales to consumers.

(1) Models having recommended retail prices. The maximum cash price for the sale to consumers of the following models shall be the prices listed in this subparagraph. Prices on all models include

delivery, installation, servicing, and a five-year warranty by the seller. Except as otherwise indicated with respect to certain 1941 models, all prices include the federal excise tax, but do not include state or local taxes imposed at the point of sale. The limits of the numbered zones are those established by the manufacturer as of Feb. 2, 1942.

Manufacturer: Borg-Warner Corp.
Brand: Norge.

Model	1941 Models (1)	(2)	Zone 1	Zone 2	Zone 3	Zone 4
D-621	\$219.95					
D-622	139.95					
D-901	179.95					
DF-901	179.95					
M-623	149.95					
M-661	174.95					
M-662	189.95					
M-902	204.95					
S-663	204.95					
S-903	234.95					
M-624-P	169.95					
M-664-P	194.95					
S-664-P	224.95					
S-884-P	269.95					

Model	1942 Models (1)	
M-642	149.95	
S-642	169.95	
M-742	199.95	
S-742	224.95	
M-942	199.95	
S-942	239.95	
S-742-P	244.95	

Manufactur.: Copeland Refrigeration Corp.
Brand: Copeland.

Model	1942 Models (1)	
BD-65	\$179.00	
A-120	345.00	

Manufacturer: The Crosley Corp.
Brand: Crosley.

Model	1941 Models (2)	(3)	Zone 1	Zone 2	Zone 3	Zone 4
A-641	\$119.95	\$121.95	\$124.95	\$126.95		
SS-641	127.95	129.95	132.95	134.95		
S-641	137.95	139.95	142.95	144.95		
SE-641	152.95	154.95	157.95	159.95		
DM-641	187.45	189.95	194.45	196.95		
SE-841	187.45	189.95	194.45	196.95		
DM-841	227.45	229.95	234.45	236.95		

Model	1942 Models (3)	
A-642	142.95	144.95
SS-742	152.95	154.95
S-742	162.95	164.95
SE-742	187.95	189.95
DM-742	222.95	224.95
SE-942	222.45	224.95
DM-942	267.45	269.95

Manufacturer:
Edison General Electric Appliance Co., Inc.
Brand: Hotpoint.

Model	1941 Models (2)	(3)	Zone 1	Zone 2	Zone 3	Zone 4
EA-3	\$123.45	\$124.95	\$127.95	\$128.95		
EA-4	123.45	124.95	127.95	128.95		
EA-6	122.95	124.95	127.95	129.95		
EAS-6	137.95	139.95	142.95	144.95		
EB-3	130.45	131.95	134.95	135.95		
EB-6	152.95	154.95	157.95	159.95		
EB-7	192.45	194.95	198.95	201.95		
EB-8	182.45</					



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The "ZERO-FLOW" Cooler (Illustrated)

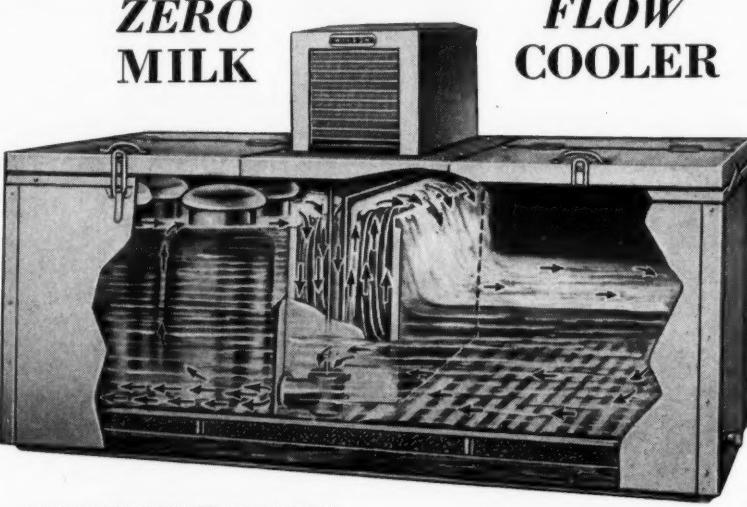
- Cools two milkings daily with a flowing high-level water bath
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SMYRNA DELAWARE

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Model ZFS-HX50 Packaged Unit

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Henry Dehydra-tector

Combination Dehydrator with Liquid Indicator and Dispersion Tube

Gas bubbles (uncondensed refrigerant) passing underneath indicator sight glass denote shortage of refrigerant. Gasketed cap is used on the liquid indicator to provide an additional seal and protect glass from breakage and dirt.

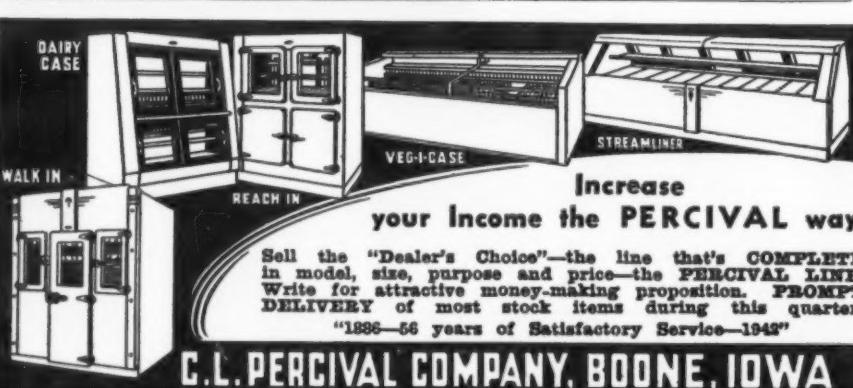
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"1886-56 years of Satisfactory Service—1942"

C.L. PERCIVAL COMPANY, BOONE, IOWA

Manufacturer: Montgomery Ward & Co.
Brand: Montgomery Ward.

Model	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
651	\$109.95	\$112.95	\$114.95	\$117.95	\$119.95	\$124.95
661	129.95	127.95	129.95	132.95	134.95	139.95
671	134.95	136.95	139.95	141.95	144.95	149.95
691	149.95	152.95	154.95	157.95	159.95	164.95
881	169.95	172.95	174.95	177.95	179.95	184.95
781	169.95	172.95	174.95	177.95	179.95	184.95
981	184.95	187.95	189.95	192.95	194.95	199.95

Model	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
642 Standard	124.95	127.95	129.95	132.95	134.95	139.95
671-B Deluxe Spec.	132.00	134.00	137.00	140.00	149.00	
662 Standard	139.95	142.95	144.95	147.95	149.95	154.95
672 Deluxe	149.95	152.95	154.95	157.95	159.95	164.95
692 Deluxe	166.95	167.95	169.95	172.95	174.95	179.95
882 Deluxe	184.95	187.95	189.95	192.95	194.95	199.95
782 Supreme	179.95	182.95	184.95	187.95	189.95	194.95
982 Supreme	199.95	202.95	204.95	207.95	209.95	214.95

TABLE FOOT NOTES

(1) For sales outside the area covered by Zone 1, the seller may add to the Zone 1 price the normal differential existing for each model on Feb. 2, 1942, in his locality.

(2) The seller may add to prices on 1941 models the actual amount of the additional 4½% Federal Excise Tax if he paid the tax to his vendor.

(3) These zones cover all 48 states.

(4) For sales outside the area covered by these three zones, the seller may add to the third zone price the normal differential existing for each model on Feb. 2, 1942, in his locality.

(2) Other Models. The maximum cash price, exclusive of state or local sales taxes, for the sale to consumers of any model not set forth in subparagraph (1) but offered for sale by the distributor or dealer on Feb. 2, 1942, shall be the highest net price in effect, by the distributor's or dealer's price list or other regular quotation, to consumers on Feb. 2, 1942.

(b) Maximum prices for sales to dealers. The maximum price, exclusive of state or local sales taxes, for the sale of any model set forth in paragraph (a) to a dealer shall be the net price which will yield the seller the same percentage of the total dollar margin between the manufacturer's net price to him and the dealer's resale price to consumers, as he received during the period Oct. 1, 1941 to Oct. 15, 1941 for the sale of the same or the most comparable model to the same general class of dealer.

(c) New Models. The maximum price for any model not covered by paragraph (a) or (b) shall be the price approved in writing by the Office of Price Administration.

(d) Export Sales. In the case of sales for export the maximum prices established by paragraphs (a), (b), and (c) to each general class of purchaser shall apply f.o.b. port of exit. To these prices the exporter may add:

(1) The actual cost of packing for export or special fabrication, if such cost is customarily charged as a separate item or if, because of the special character of the packing, additional expense is customarily necessary in order to provide for the safe carriage of the shipment;

(2) On sales f.a.s. vessel, f.o.b. vessel, c.i.f. destination, or f.o.b. destination, an amount not in excess of the actual cost to the exporter of ocean freight, marine and war risk insurances, or other standard charges;

(3) The normal commission or mark-up charged by same general class of exporter (i.e., manufacturer, export agent, export commission house or export merchant) for buying or for a sale or delivery of a similar quantity, quality, type, and packing to the same or comparable foreign market and to a purchaser of the same general class in the period Oct. 1 to Oct. 15, 1941, inclusive*.

Section 1380.112. **Effective Date.** This Maximum Price Regulation No. 110 (Sections 1380.101 to 1380.112, inclusive) shall become effective March 30, 1942.*

Issued this 23rd day of March, 1942.

John E. Hamm,
Acting Administrator

Gov't Sets Maximum Refrigerator Prices

(Concluded from Page 2, Column 4)

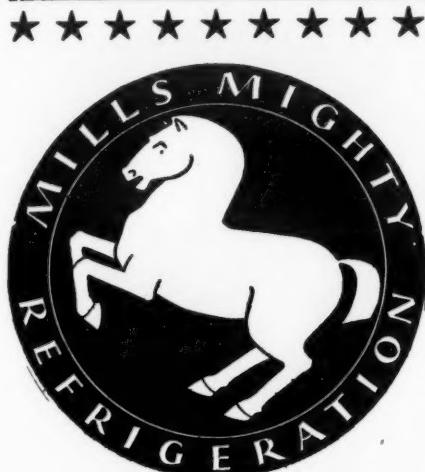
Manufacturer: General Electric Co.
Brand: General Electric

Model	1941 Models (2) (3)			
Zone 1	Zone 2	Zone 3	Zone 4	
B-3	\$130.45	\$131.95	\$134.95	\$135.95
LB-3	123.45	124.95	127.95	128.95
LB-4	123.45	124.95	127.95	128.95
BY-4	143.45	144.95	147.95	148.95
LB-6-41	122.95	124.95	127.95	129.95
LBX-6-41	137.95	139.95	142.95	144.95
JB-6-41B	152.95	154.95	157.95	159.95
PJB-6-41	172.95	174.95	177.95	179.95
B-6-41	172.95	174.95	177.95	179.95
PB-6-41	192.45	194.95	198.95	201.95
BH-7-41	192.45	194.95	198.95	201.95
B-7-41	217.45	219.95	223.95	226.95
PB-7-41	237.45	239.95	243.95	246.95
JB-8-41	182.45	184.95	188.95	191.95
B-8-41	236.95	239.95	244.95	247.95
PB-8-41	256.95	259.95	264.95	267.95
PB-12-B	440.00	445.00	462.50	457.50
PB-16-B	500.00	505.00	512.50	517.50

Model	1942 Models (3)			
Zone 1	Zone 2	Zone 3	Zone 4	
LB-4-42	126.83	128.33	131.33	132.33
LB-6-42	126.31	128.31	131.31	133.31
LB-7-42	152.20	154.20	157.20	159.20
LBX-7-42	166.83	168.83	171.83	173.83
JB-7-42	182.30	184.30	187.30	189.30
PJB-7-42	202.45	204.95	208.95	211.95
B-7-42	222.66	225.16	229.16	232.16
B-8-42	242.59	245.59	250.59	253.59
PB-8-42	263.04	266.04	271.04	274.04
PB-12-42	450.15	455.15	462.65	467.65
PB-16-42	511.49	516.49	523.99	528.99

Model	1942 Models (4)		
Zone 1	Zone 2	Zone 3	Zone 4

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Mills Condensing Units
By Mills Novelty Company
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More than 20 years of high reputation...in every kind of refrigeration service...has established the name "Lipman" as a BUY word that breaks down sales resistance. Make this reputation your sales asset...for greater profit and better customer satisfaction.

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ALCO
Specify ALCO
Engineered
Refrigerant Controls for
Maximum Performance
ALCO VALVE CO. ST. LOUIS, MO.

'More Information' Is Asked In PD-1A Forms

(Concluded from Page 1, Column 3) description of the material wanted, and the name of the supplier. Under this question, applicants also must give the dates of any other preference rating applications they may have pending, and state whether they intend to file additional applications.

"Question No. 7 relates to the supply situation in the event a rating is not obtainable. If an applicant's request is for various products which will go into inventory, the present inventory position on each item should be clearly outlined under this question, and the per cent of annual consumption of present inventory should be stated."

If these and other questions are fully answered, officials said, they will be able to make an intelligent appraisal of the need for and essentiality of the products or raw materials requested.

(Editor's Note: As far as the editors can determine, this is the first special notice of its kind asking for special attention to the details of the PD-1A form that has been issued for any particular industry. It may mean (1) that particular attention is being given to PD-1A's for new commercial refrigeration and air conditioning equipment and (2) that the office is receiving a flood of these applications for priorities, perhaps encouraged by bulletins from manufacturers and articles in AIR CONDITIONING & REFRIGERATION NEWS. Articles discussing the use of the PD-1A form by refrigeration men were published in the Feb. 25 and March 4 issues of the NEWS.)

Plan to Buy Frozen Copper

(Concluded from Page 1, Column 1) tity of material available, coupled with an indication that if the material is not voluntarily offered the government may be forced to requisition it.

Prices are still being debated, but it is expected that they will run higher than scrap prices, but not high enough for all fabricators to recover full costs.

CLASSIFIED ADVERTISING

RATES for "Positions Wanted," 5¢ per word; minimum charge, \$2.50. Three consecutive insertions, 12½¢ per word; minimum charge \$6.25.

RATES for all other classifications, 10¢ per word, minimum charge, \$5.00 per insertion. Three consecutive insertions, 25¢ per word, minimum charge, \$12.50.

ADVERTISEMENTS set in usual classified style. Box addresses count as five words, other addresses by actual word count.

POSITIONS AVAILABLE

SERVICE and Installation men for commercial work in Cleveland territory, weekly or hourly rates. Box 1391, Air Conditioning & Refrigeration News.

INSTALLATION and service men on commercial refrigeration and air conditioning for New York City. Qualified men only with car. Excellent opportunity for permanent connection. Write Box 1393, Air Conditioning & Refrigeration News.

FRANCHISES AVAILABLE

ROYAL announces an exclusive line of Wall Type Beer Display and Storage Cabinets. Remote and self-contained type. Featuring up and down sliding doors—fifteen case to one hundred and ten case capacity, requiring little floor space. Porcelain finish interior and exterior, neon lighting. Limited number of established dealers desired. Write at once for full details. ROYAL STORE FIXTURE COMPANY, 847 North Broad Street, Philadelphia, Pa.

EQUIPMENT FOR SALE

BRAND NEW Mullens Mod. N-10 evaporators for 6 cubic ft. refrigerators can be used as replacements on high sides, dry expansion capillary systems, tube connections $\frac{1}{4}$ " pipe inlet, $\frac{1}{4}$ " tube outlet, dimensions $9\frac{1}{4}$ " wide $11\frac{1}{2}$ " depth, $11\frac{1}{2}$ " high, bolt centers 5 to 7" slotted by $9\frac{1}{2}$ ". Limited quantity available each \$7.50; 4 lots, \$7.00; 12 lots, \$6.50. Fully guaranteed, for immediate delivery act at once. R. & R. REFRIGERATION EQUIPMENT CO., 508 Morris Avenue, Bronx, N. Y.

TAYLOR Freezers—2 Model 1040s with timer, new and in original crates. 2 Model 640-Rs; 1 new but demonstrated, 1 slightly used. 2 Dumores—demonstrators. Real bargains—write or wire AIR CONDITIONING COMPANY, 3215 McKinney, Houston, Texas.

COMMERCIAL UNITS—reconditioned— $\frac{1}{4}$, $\frac{1}{2}$, and $\frac{1}{2}$ h.p., air cooled and water cooled. Also surplus stock brand new Westinghouse low-sides, complete with coils, valves, fans, manual controls, etc. 1 to 2 ton capacity in original factory crates. Write for particulars. ASSOCIATED REFRIGERATOR PLANT, 3028 W. Hunting Park, Philadelphia, Pa.

Court Says WPB Order May Void Long Lease

(Concluded from Page 1, Column 2) and this order was subsequently extended to include sales of new automobiles up to Feb. 2, 1942; and that on Jan. 20, 1942, a further order was issued by the Office of Production Management prohibiting the manufacture of passenger automobiles."

The dealer argued that this put the company out of business, and that since the action was by order of the government, the concern could not be held to the terms of its lease. The dealer firm also put in a counterclaim for return of a \$500 guaranteed deposit placed with the management corporation at the time the lease was signed.

"The great weight of authority," Justice Crawford held, "is to the effect that such a governmental act or decree destroys the subject matter of the contract and makes performance impossible, and thereby terminates the lease."

Decisions in point from the high courts of New York, Alabama, Arkansas, Iowa, Michigan, Tennessee, Washington, and West Virginia were cited. Among these was a case during the last World War involving the Millbrook Woolen Mills, which made partial delivery on a civilian contract and then, receiving a government order for materials for Army uniforms, converted its plant for war work and failed to complete the former contract. In that case the New York State Court of Appeals ruled:

"The undisputed facts in this case show that the government made contracts for woolens with the defendant which required the use of its looms and materials and preference in the execution of its work. This preference was necessitated within the meaning and purpose of an Act of Congress and constituted a good defense for the delay or cancellation of the plaintiff's contracts."

Justice Crawford held in the current case that "a contract which contemplates the doing of a thing at first lawful, but which afterward and during the running of the contract becomes unlawful, ceases to be operative upon the taking effect of a prohibitory law." In this connection the justice referred to the contracts, good when made, that became void because of the prohibition laws.

In conclusion, Justice Crawford stated that "the tenant (a) was prevented by action of the Federal government from occupying the premises for the purposes for which it leased them; (b) the contract became impossible of performance by operation of law; (c) the tenant is entitled to a dismissal of the petition and the return of the security deposit of \$500, with interest."

Westinghouse Shifts Executive Personnel

(Concluded from Page 1, Column 1) for coordinating all sales of the Westinghouse company and its subsidiaries.

Prior to his appointment as manager of manufacturing and engineering of the merchandising division last fall, Mr. Ashbaugh had been acting manager of those activities in the Westinghouse plants at Mansfield and Springfield, Mass., since January, 1941.

Starting with Westinghouse in 1918 as a student engineer in the East Pittsburgh works Mr. Ashbaugh was transferred to the merchandising division in 1931, as assistant manager of engineering at the Springfield works. In less than a year he was named manager of engineering.

Mr. Mills joined Westinghouse as a student engineer, after his graduation from Georgia Tech (1918).

In 1926, when electric cookery was still somewhat of a novelty, Mr. Mills was made manager of a special department set up to handle electric range sales.

Mr. Newcomb joined Westinghouse in Mansfield, Ohio, as supervisor of domestic refrigeration in November, 1929, when that department was organized. In 1933, he went to the Springfield, Mass., plant of Westinghouse as coordinator of refrigerator design and product development. Mr. Newcomb became manager of the commercial refrigeration department in 1935, with headquarters in Springfield.

He returned to Mansfield in July, 1939, as manager of the household refrigeration and laundry equipment department.

Mining Firm May Buy Wolverine Tube Co.

DETROIT—A proposal that the Wolverine Tube Co. be sold to the Calumet & Hecla Consolidated Copper Co. will be voted upon by the stockholders of Wolverine April 28.

Charles C. Limbocker, Wolverine's president, pointed out that most of the tube company's main competitors either produce their own raw mate-

rials or are closely affiliated through stock ownership with such primary sources, and that "for some time (prior to the present wartime allocation of copper) your directors have felt that Wolverine has operated at a disadvantage because of this situation, and it is their opinion that this disadvantage will become more acute during the post-war period of adjustment."

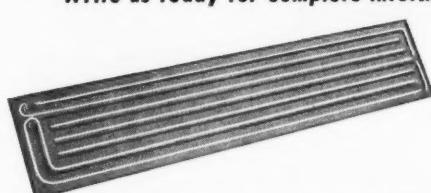
Management personnel of the tube company will in all likelihood remain the same if the sale goes through.

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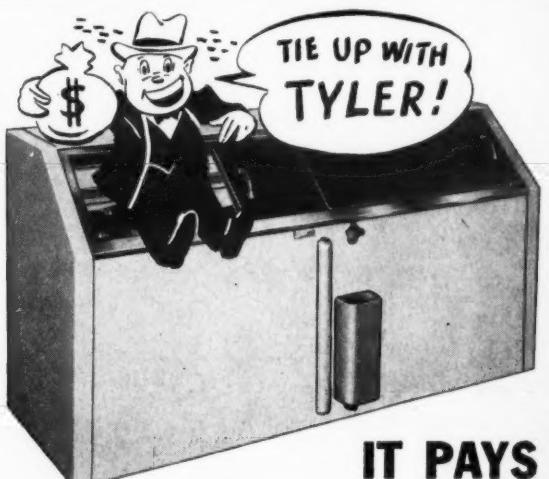
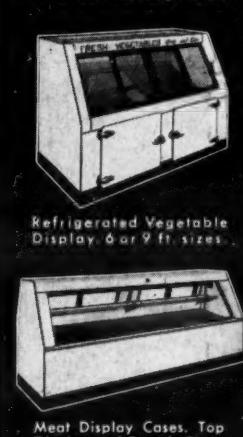
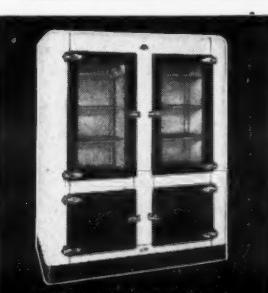
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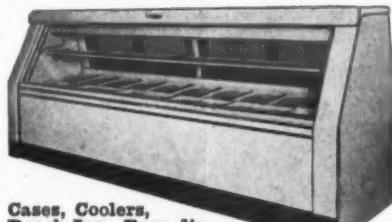


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